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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/802,496	03/16/2004	Wan-Yin Ching	61045(71987)	3673

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EXAMINER

LEWIS, DAVID LEE

ART UNIT	PAPER NUMBER
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2629

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/802,496

Applicant(s)

CHING ET AL.

Examiner

David L. Lewis

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. **Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Zhao et al. (2004/0204135).**

As in claim 1, Zhao teaches of audio and video playing method for being applied to a computer device having a memory unit and a data input unit, **figure 1,**

the method comprising the steps of: (1) dividing the memory unit at least into a song storage region, an image file storage region, an audio and video playing program region, and a play setting data region, **figure 1 item 105;**

(2) when the computer device receives data transferred from the data input unit, determining the type of data via the computer device, **figure 5 item 220;** if it is an image file, storing the data in the image file storage region of the memory unit,

figure 5 item 220; if it is a sound file, storing the data in the song storage region of the memory unit, **figure 5 item 220, paragraph 23-25**;

(3) having a user set a playing mode via the data input unit of the computer device, wherein the computer device displays data of playing modes on a display unit thereof, and the playing modes at least include a mode for playing songs only and a mode for simultaneously playing songs and displaying images, **paragraph 33 and 43**;

(4) when the computer device receives a playing mode for simultaneously playing songs and displaying images from the user, finding out data of songs and image files via the computer device from the song storage region and image file storage region of the memory unit for allowing the user to select an intended song and a corresponding image file, **paragraph 33, 43 and 46**;

(5) establishing a form of correlation between songs and image files via the computer device according to the setting and selection made by the user, and storing the correlation form in the play setting data region of the memory unit, **paragraph 33, 43 and 46, figure 2 items 65, 150, 155**;

and (6) when the computer device receives a song playing request from the user via the data input unit, executing an audio and video playing program stored in the audio and video playing program region of the memory unit via the computer device in accordance with data stored in the play setting data region, **paragraph 33, 43 and 46, figure 6**.

As in claim 2, Zhao teaches of wherein the computer device is selected from the group consisting of a desktop personal computer, notebook computer, digital camera, cellular phone, and personal digital assistant, paragraph 19.

As in claim 3, Zhao teaches of wherein the memory unit is selected from the group consisting of a hard disk and a storage memory card, figure 1 item 45.

As in claim 4, Zhao teaches of wherein the data input unit is an electronic device connected to the computer device for allowing data to be input to the computer device, paragraph 19, figure 1.

As in claim 5, Zhao teaches of wherein the electronic device is selected from the group consisting of a hard-disk device and a reading device for reading data stored in a storage memory card, figure 1 item 45.

As in claim 6, Zhao teaches of wherein the storage memory card is selected from the group consisting of a CF (compact flash) card, PCMCIA (personal computer memory card international association) and SM (smart media) card, figure 1 item 45.

As in claim 7, Zhao teaches of wherein the storage memory card is selected from the group consisting of a CF (compact flash) card, PCMCIA (personal

computer memory card international association) and SM (smart media) card, figure 1 item 45.

As in claim 8, Zhao teaches of wherein the image file storage region stores a plurality of image files of different file formats, figure 1 item 105.

As in claim 9, Zhao teaches of wherein the image files are of "jpeg", "gif" and "mpeg" file formats, figure 4 item 180.

As in claim 10, Zhao teaches of wherein the correlation form is used to store storage addresses of image files corresponding to songs intended to be played and storage addresses of drivers for executing the image files, figure 3 and 4.

As in claim 11, Zhao teaches of wherein the songs are stored in a MP3 (MPEG audio layer-3) file format, figure 4 item 180, figure 1 item 105.

Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. 2005/0095096, 2005/0086320.
3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **David L. Lewis** whose telephone number is

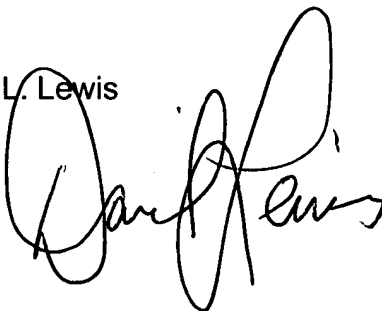
Art Unit: 2629

(571) 272-7673. The examiner can normally be reached on MT and THF from 8 to 5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala, can be reached on **(571) 272-7681**. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571)-273-8300.

4. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner: David L. Lewis

January 7, 2007

A handwritten signature in black ink, appearing to read "David L. Lewis", is written over the printed name and date.